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The Pitfalls of U.S. Covert Operations

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Policy Analysis

# Cato Institute Policy Analysis No. 118: The Pitfalls of U.S. Covert Operations

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## Executive Summary

Covert operations, by definition, are difficult to examine. Because they are shrouded in secrecy, one is never sure whether all the relevant data concerning their scope, origin, and degree of success are at hand. Yet it is apparent that governments will continue to insist on having covert operations as an option. What motivates the United States to undertake such actions and how well the United States has been served by these measures are especially crucial issues.

An examination of U.S. covert-action policy since World War II reveals two facts that are not always fully appreciated. First, both the scope and the scale of such operations have been enormous. Paramilitary operations--which can be more accurately described as secret wars, the most extreme form of covert action--have resulted in countless deaths and immense destruction. Covert operations have become the instrument of choice for policymakers who assume that a cold war status quo is inevitable.

Second, the success of U.S. covert operations has been exaggerated. Some operations, such as the one against the Soviet Union in the early postwar years and the later one against Castro, were outright fiascoes. Other operations, such as the ones involving Greece and Iran, which were once acclaimed successes, left a legacy of anti-Americanism that continues to hamper the conduct of our foreign policy. Moreover, because such operations have almost always become public-- Nicaragua being an obvious example--debates over their legitimacy have fostered considerable domestic divisiveness.

Thus, it is time for a reassessment of the role of covert operations in U.S. foreign policy. How effective are they? Under what circumstances, if any, should they be used? What reforms are needed?

## The Elusive Concept of Covert Operations

The covert operations undertaken by the United States have been demonstrated in many ways. A cursory list of the post-World War II operations would include efforts to influence outcome of elections in Western European countries during the early cold war, the 1953 overthrow of Mohammed Mossadegh in Iran, the 1954 overthrow of Jacobo Arbenz in Guatemala, the 1963 attempt to assassinate Fidel Castro in Cuba, the 1963 overthrow of Juan Bosch in the Dominican Republic, the 1964 defeat of rebel forces loyal to Patrice Lumumba in the Congo, the 1965 propaganda campaign to overthrow the Sukarno government in Indonesia, the 1967 provision of aid to overthrow George Papandreou and install George Papadopoulous in Greece, and involvement in the 1970 overthrow of Norodom Sihanouk in Cambodia.[1] More recently, the Reagan administration was accused of engaging in illegal covert propaganda activities designed to persuade the news media and the public to support its Central American policies.[2]

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The definition of covert operations differs among countries and administrations. As defined in the 1976 final report of the Senate Select Committee on Intelligence, such operations include

any clandestine activity designed to influence foreign governments, events, organizations, or persons in support of United States foreign policy. Covert action may include political and economic actions, propaganda and paramilitary activities [and is] planned and executed . . . so as to conceal the identity of the sponsor or else to permit the sponsor's plausible denial of the operation.[3]

Former Central Intelligence Agency director Stansfield Turner puts it more cogently: "Covert action is the term that describes our efforts to influence the course of events in a foreign country without our role being known." Turner also notes that covert action "has always been assigned to the CIA to perform, by means of unattributable propaganda, sub rosa political action, or secret paramilitary support."[4]

Still, like other bureaucratic actions, the precise status and definition of covert operations, from an examiner's standpoint, are difficult to establish. For example, on January 24, 1978, President Carter issued Executive Order 12036, which used the euphemism "special activities" for covert operations and defined them as activities conducted abroad in support of natio al foreign policy objectives which are designed to further official United States programs and policies abroad and which are planned and executed so that the role of the United States government is not apparent or acknowledged publicly, and functions in support of such activities, but not including diplomatic activity or the collection and production of intelligence or related support functions.[5]

President Reagan provided a similarly vague definition in his 1981 executive order on intelligence. The only significant change was the addition of a passage stating that such special activities "are not intended to influence United States political processes, public opinion, policies, or media...." r

**Questions of Legitimacy**

The answer to the question of whether covert operations are ethical or legitimate also has produced considerable controversy. One commentator writes:

Let us remind ourselves that clandestine acts need not be beastly. Indeed, many forms of "covert operations" are nonviolent and as routine--and as benign--as providing advice and funds to politicians, labor leaders and editors who oppose foreign take- overs in their own countries.[7]

Another observer notes that covert action is an ugly word in the lexicon of many observers schooled in democratic political traditions. Many Westerners have written in terms of bemused horror and morbid fascination about the spectacular expansion of both Nazi Germany and Stalinist Russia, in which covert political warfare is alleged to have played an important role.[8]

If one is given such widely varying assessments of covert operations, what is one to believe? If one applies a simple, generic definition, that is, an attempt by a government to influence events in another state or territory without revealing its involvements, one sees that seeking to influence the politics of other governments and societies is an inherent element of foreign policy. Moreover, governments usually do not reveal exactly what they seek to accomplish or how they intend to do it. They are to one degree or another secretive or covert. Thus, to some extent, all nations engage in covert actions. Indeed, aside from reasons of ideology, covert actions as a form of intervention have expanded as the growth of trade, the ease and speed of travel, and the technological advances in communications have made it easier for officials of one nation to affect the political climate in other nations.

An especially important reason that covert action will always be considered, if not actually used, is that it is seen as a middle option, or, as Theodore Shackley, a retired intelligence officer, phrases it, "the third option to the persuasions of diplomacy and trade on the one hand and military force on the other."[9] Such is especially attractive to heads of state, who are always afraid of appearing to be either indecisive or foolhardy, either wimps or warmongers. In this third-option perspective, one academic writes that covert action is primarily the manifestation of an output of the national security policy process. Unlike foreign intelligence, which provides input to the intelligence production process, covert action attempts to implement the policy decisions. Not every policy decision involves the use of covert actions, but

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covert action offers a number of diverse options for policymakers and the expectation that the action will remain covert has resulted in its use by all administrations since the inception of the CIA in 1947.[10]

**Domestic Consequences**

As national borders have become more traversable, the concept of covert operations mounted by other nations has had an especially unpleasant side effect: the surveillance of one's own citizens. This surveillance is a result of government fears that its citizens would be influenced by covert activities of other states. For example, from the Red Scare following World War I to the Watergate scandals of the 1970s, a clandestine and often illegal campaign was mounted against American citizens by key elements of their own government. The official term for the practice was "political intelligence," but the real purpose was to restrict and suppress various forms of political dissent. Toward this end the FBI, the CIA, the IRS, federal grand juries, congressional committees, and private organizations have worked together to keep tabs on their fellow citizens. The eventual, and usually inevitable, revelation of such practices, casts serious doubts on the guarantee of civil liberties that citizens expect of democratic regimes.[11]

In recent years concerns have been raised that such practices are being directed against Americans opposed to the government's policy in Central America. The FBI confirmed that it had assigned agents to infiltrate and monitor CISPES (Citizens in Solidarity with the People of El Salvador). Many other groups and individuals who offered the public an alternative view of U.S. policy in Central America encountered harassment. The IRS even initiated an audit of Reichler and Applebaum, the law firm that represented the Nicaraguan government before the World Court.[12]

Travelers also faced harassment from the FBI. Under the guise of collecting "counterintelligence" information, FBI agents visited and interrogated over a hundred citizens who had been to Nicaragua or had attended public functions sponsored by groups critical of U.S. policy. In testimony before Congress, FBI director William Webster claimed there had been a "foreign counterintelligence purpose" for every interview. The "tasking" to conduct the interrogations, Webster testified, had come from the National Security Council.

During Reagan's first term the administration made a similar effort to undermine lawful dissent. At the height of the nuclear freeze movement, the president repeatedly stated or implied there was solid evidence the movement was under the influence of communists and foreign agents.

**U.S. Covert Operations as a Cold War Weapon**

Since its founding, the United States has used covert actions sporadically, but only after World War II were covert actions integrated into the overall intelligence establishment as a permanent option, with all the bureaucratic trappings.

It is generally accepted that covert action has been an instrument of modern U.S. foreign policy since 1947-48, when U.S. policymakers decided such a capability could be used on a limited basis in conjunction with overt efforts to halt the expansion of Soviet power and communism in general. Ironically, after the CIA was formally established on September 18, 1947, covert action became the top priority. The CIA undertook such operations under pressure from leading U.S. officials of the day to support basic U.S. foreign policy. Ray Cline, a former CIA deputy director for intelligence, writes:

The officials who argued the United States had to fight back covertly against widespread political subversive efforts sponsored by the Soviet Union in Germany, France, and Italy in 1947 and 1948 were Secretary of State George C. Marshall . . . Secretary of War Robert Patterson, Secretary of Defense James Forrestal, and George Kennan, then Director of the State Department's Policy Planning Staff.[13]

Over 40 years later one cannot readily appreciate the pressures of foreign policy and international politics in the early postwar years that brought about a covert-action capability. Especially important during this period was the growing suspicion of communists, who were suspected of being everywhere and of seeking world domination. The combination of an atmosphere of urgency and fear and an almost instinctive reliance on action in a crisis was the background to the Truman Doctrine and to the Truman administration's decision to contend with the Soviet Union. Given U.S. economic and military dominance after the war, such a decision was probably inevitable. The increasingly action-oriented power of the United States led to the decision to confront the Soviets: It was seen as a conflict the United States simply could

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not avoid, especially because Western Europe was geographically divided between the two superpowers and because the colonial empires in Asia and Africa had come to an end.[14]

During the debate over the National Security Act of 1947, which created the CIA and the Defense Department, much discussion was devoted to the question of who should supervise intelligence as well as covert operations. Secretary of State George Marshall wanted the State Department separated from such operations out of fear that if American diplomacy were integrated with American espionage, U.S. foreign diplomacy could be compromised. This view brought the department into forceful opposition to the concept of the CIA, effectively removing the State Department from contention as the agency of central intelligence coordination.[15]

One should remember that the National Security Act said nothing about conducting covert-action programs. But it contained a catch-all clause allowing the CIA to take on "such other functions and duties relating to intelligence affecting the national security as the National Security Council may from time to time direct," and that clause was later cited as an authorization for covert actions.

**Early Successes**

The first postwar U.S. covert activities took place in Italy at a time when the Soviets were offering assistance to Italian communists. Payments were made to help defray the election expenses of certain individual politicians, and to cover the costs of printing posters, pamphlets, and communist newspapers. Fearing that communists would take power in national elections in 1948, the United States took steps to prevent it. Richard Barnet, a former State Department official, notes: "The Special Procedures Group of the Office of Special Operations in the CIA spread money to various Italian centrist parties, a generosity that in time would be extended to politicians in Iran, Zaire, Chile, and many other places."[16] Covert action in Italy, along with diplomatic and economic efforts, was viewed by government officials as an enormous success as the U.S.-backed parliamentary parties triumphed at the polls.

In 1948 the National Security Council authorized the creation of the Office of Special Projects (soon renamed the Office of Policy Coordination, which replaced the Special Operations Group) to combat Soviet and communist activity generally. Ironically, given the State Department's current disdain for covert activities, it was George Kennan, then the director of the policy planning staff, who advocated the formal creation of a permanent, covert, political-action capability.

In addition to mounting the successful operation in Italy, the United States sent agents on missions in the Eastern bloc, including the Soviet Union, where for several years after the war, a Ukrainian resistance movement continued to fight the Red Army. Because the Ukraine was an acknowledged part of the Soviet Union, the operations were tantamount to war. This initiative was far less successful than the Italian episode. The Ukrainian resistance had no hope of winning unless America went to war on its behalf. Because America was not prepared to do so, Washington was in effect encouraging the Ukrainians to adopt a suicidal course--not exactly what one would call a successful "middle" option.[17] It did, however, demonstrate both Washington's increasing experimentation with the covert option and the ruthlessness with which officials could employ it.

Emboldened by their success in Italy, U.S. policymakers also turned their attention to Greece. Faced with the prospect of a communist takeover, because the British could no longer afford to support the fight against communism in Greece and Turkey, President Truman decided to pursue the battle. In his joint address to Congress on March 12, 1947, he called for $400 million in military and economic assistance for Greece and Turkey, and he articulated the Truman Doctrine to "support free peoples who are resisting attempted subjugation by armed minorities or by outside pressure." Although most U.S. actions in Greece were carried out overtly, the CIA did conduct many covert operations, notably in the areas of propaganda and psychological warfare. American policy initially aimed at containing the Greek left, but ultimately succeeded in destroying it. However, over the long term the policy had serious drawbacks. Although publicly committed to democratic reforms in Greece, American officials ultimately contributed to the rightward, authoritarian swing of Greece's politics. Civil liberties were eroded, economic corruption was proliferated, and the power of the armed forces was enhanced.[18] Indeed, George Papadopoulous, the Greek army colonel who led the military coup in 1967, had received a CIA subsidy since 1952.[19]

By this time, U.S. officials no longer questioned the need for covert capabilities. The cold war was well under way,

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and the American public supported it. As a result of the strengthening of cooperation between the CIA and the military brought about by the Korean War, the standing and influence of the covert-action side of the CIA increased throughout the 1950s. After the Korean War the "communist menace" was perceived in more general and worldwide terms. It was no longer believed that communism was a threat only to those geographic areas bordering China and the Soviet Union. The CIA changed its operations and attitudes accordingly. Emphasis began to shift from Europe and from crisis management to a worldwide effort to forestall and contain what was seen as communist aggression.

? **Mistakes and Unpleasant Consequences**

Some of the CIA's most noted operations occurred in the 1950s, including the suppression of the Hukbalahap insurgency in the Philippines, the 1953 overthrow of the government in Iran in cooperation with the British, and the 1954 overthrow of the government of Guatemala.[20] Using sabotage, propaganda, and paramilitary and political actions, the operations succeeded with a minimum of fuss, bloodshed, and time expended. With the advantage of hindsight, we can see that these operations left bitter seeds that would grow into difficult problems for a future generation of U.S. policymakers. Because of the apparent success of the early operations, the wrong conclusions were drawn in Washington about the nature and utility of covert operations. Those erroneous conclusions eventually led to less successful operations in Indonesia, Syria, Lebanon, and Iraq as well as to the Bay of Pigs disaster.

The covert operations conducted against various regimes during the 1950s left an ineradicable impression of guilt by association, at best, in the minds of the citizens of those countries. That effect is widely recognized in the case of Iran, but perhaps nowhere was it more pronounced than in the case of the 1958 attempt to overthrow Sukarno, the leader of Indonesia. Although the undertaking was much larger in scope than the later Bay of Pigs invasion, it was so far away that it attracted little attention. The CIA trained large numbers of Indonesian dissidents and mercenaries--one estimate puts the number of trainees at 42,000--and returned them to Sumatra, where they recruited other rebels. The ensuing rebellion lasted several months before being quashed. U.S. efforts to undermine Sukarno continued, and in 1965 a strange and terrible series of events occurred in Indonesia that has never been satisfactorily explained. The usual explanation is that leftists in the government staged a coup to wrest complete control, either of the government or the army. General Suharto then staged a retaliatory coup against the left, reduced Sukarno to a figurehead, and called in massive U.S. military and civilian assistance. Subsequently, Indonesian generals began a campaign to eliminate to communist sympathizers throughout Indonesia. Estimates of the number killed ranged from a low of 30,000 to a high of 1 million. Journalist Jonathan Kwitny writes:

The U.S. presence left the United States indelibly associated with that time in the minds of Indonesians. . . . The generals created a system of direct elections, sometimes reported in the Western press as if they were real. The elections allowed Indonesians to vote only for candidates from approved parties, and only for a minority of the members of an assembly that in turn elects the president (Suharto) and vice-president. There is no meaningful democracy. And, of course, under U.S. advice General Suharto built an economy based on a much more ruthless brand of socialism than Sukarno had ever dreamed of.[21]

Such operations have produced dismal long-term results in Indonesia and elsewhere. Kwitny concludes:

More important, using force according to a standard we have used for the past nearly forty years simply hasn't given us a successful foreign policy. What it has given us is anti-aircraft batteries and concrete road barriers around the White House. Our embassies overseas and even many federal courthouses at home are designed like military fortresses. We have not produced a friendly world, or even a mostly friendly world, to do business in. We have produced enemies, in endless supply.[22]

**A Changing Political Environment**

Operations in the first one and a half decades of the cold war gave the CIA a "can do" reputation. President after president turned to the CIA precisely because of its perceived ability to get a job done. However, if the CIA was able to "get the job done," it was largely because both the public and Congress were willing to accept the need for such activities. Even the occasional negative exposure of such actions did not lead to public or congressional repudiation. Gregory Treverton, a former National Security Council (NSC) staffer, writes:

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Not every covert expose, however, has made for controversy. Some, indeed, stayed in the tabloids or were relegated to the back pages of major dailies. They did not produce political controversies to which the American government felt any need to respond. In the instance of Guatemala, for example in 1953, leaks about the American paramilitary efforts were discredited, not the operation itself.[23]

Treverton indicates that major changes, primarily in domestic politics, now make it more difficult for the United States to achieve its purposes secretly. He notes that most early covert actions were conceived in secrecy and began on a small scale. Yet the operational requirements of future successes, against increasingly better prepared opponents, required these actions to grow. As Treverton notes, this meant more intelligence officers, logistical facilities, funding, and involvement with other agencies, all of which diminished the chances that an operation would remain secret. Furthermore, even the early projects were thought to have no better than a 50-50 chance of success. And as time went by, achieving a successful covert operation became much more difficult. Castro's Cuba was an immensely more difficult target than Arbenz's Guatemala.

Furthermore, revolutionaries and incumbent leaders, whom U.S. officials deem harmful to American interests, have examined and learned lessons from America's covert-action history. They are determined not to repeat the mistakes of earlier victims or to appear as shaky "banana republics" susceptible to overthrow. To protect themselves, they have sought to mobilize their citizens, to ensure the loyalty of their army, and to turn to other countries for aid and support. One of these countries may be the Soviet Union, and this development can hardly be looked on as being in the best interest of the United States.

An example of this process occurred in the central African nation of Chad in the early 1980s. At that time Libyan troops occupied half of Chad, largely in response to a CIA covert paramilitary operation begun in 1981. The covert action consisted mainly of secretly supplying funds and military equipment to the forces of Hissen Habre, who was fighting to overthrow the Libyan-backed coalition government led by President Goukouni Oueddei. U.S. officials failed to understand that even if Habre came to power, the faction he replaced (Oueddei) could be expected to turn to Libya for support in an attempt to reverse Habre's victory. Subsequently, that is exactly what happened.

**The Varied Forms of Covert Action**

By the end of the 1950s, covert action had evolved to the extent that its purposes could be grouped into three broad categories. Some operations were initiated to influence the general climate of opinion in foreign states, so that they might favor American objectives and democratic values in general. Other operations attempted to influence the political balance within foreign countries by strengthening the position of some individuals and institutions and by weakening those of others. A third hoped to induce some specific national interest serving U.S. objectives. Most publicized covert operations have been conducted in this third category. According to John Oseth, an army intelligence officer, the types of covert operations most often undertaken in the third category include the following:

1. Provision of political advice and counsel to leaders and influential individuals in the foreign states

2. Development of contacts and relationships with individuals who, though not in leadership or influential positions at the time, might advance to such positions

3. Provision of financial support or other assistance to foreign political parties

4. Provision of assistance to private organizations such as labor unions, youth groups, and professional associations

5. Promulgation of covert propaganda undertaken with the assistance of foreign media organizations and individual journalists

6. Establishment of relationships with friendly intelligence services to provide technical training and other assistance

7. Provision of economic operations by which financial assistance can be provided to foreign states for various purposes but conducted through intermediate sources not overtly connected with the American government

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8. Provision of paramilitary or counterinsurgency training to regimes facing civil strife where acknowledgement of official U.S. involvement is not desired

9. Development of influential connections inside a particular regime with government departments and factions

10. Development of political action and paramilitary operations that attempt to topple foreign regimes and install successors more favorable to U.S. objectives[24]

One of the more interesting aspects of U.S. covert-action programs, at least until 1970, was how well they were integrated into governmental planning. Scott Breckinridge, a retired CIA officer, confirms that, since the early days of the post-World War II era, the requirement for coordination and clearance of covert operations in the government was firm. In 1955, as a result of the Hoover Commission Report, two new NSC directives were issued. They remained in effect until 1970, providing basic policy guidelines for the critical period of the CIA's major covert-action operations during the ensuing 15 years.[25]

Thus, the characterization of the CIA as a "rogue elephant" out of control is generally invalid. It has, in fact, served the larger objectives of U.S. foreign policy as defined by high-level officials. The term "rogue elephant" is misleading because it diverts attention from two far more crucial questions: Do covert activities provide the best method of achieving desired objectives? Are they a logical part of America's foreign policy? The use of the rogue elephant cliche impedes meaningful reform, because the focus is then on overseeing the intelligence agencies rather than policymaking levels of the executive branch, which is the source of the policies the agencies implement.

**The Proliferation of Failed Missions**

In the 1960s and the 1970s covert action became virtually synonymous with one of its instruments: paramilitary operations. Perhaps the most well-remembered action is the Bay of Pigs disaster. As the most overt operation the CIA has ever conducted, it can be considered a distant predecessor of the current support for the Nicaraguan contras. It also lacked the coordinated interagency review of covert operations that had been the hallmark of previous administrations. Early planning for the Bay of Pigs invasion was confined to the operational side of the CIA, which had the largest organizational stake in seeing the project advance. Each of the changes adopted as the plan developed made sense to Allen Dulles, the CIA director, and to his colleagues. Yet the cumulative effect of those changes was dramatic. The result was very different from the "Guatemala scenario" that had been the plan's original model. What emerged was a major amphibious invasion with no fallback; its success or failure would quickly be apparent, as would the role of the United States. Although much blame for the fiasco can be assigned to the Kennedy White House (for its timidity), the CIA was not guiltless. In an unpublished memoir, Allen Dulles explains that the agency had

never raised objections to repeated emphasis [by the president] that the operation: a) must be carried through without any "combat" action by U.S.A. military forces; b) must remain . . . disavowable by [the U.S. government]; c) must be a quiet operation yet must rouse internal revolt vs. Castro and create a center to which anti-Castroites will defect.[26]

By deliberately allowing Kennedy to overlook central weaknesses of the invasion plan, Dulles sought to steer him into a project he deeply mistrusted, but that the CIA nevertheless wished him to carry out. As historian Lucien Vanderbroucke notes:

These advisers may have hoped to draw the president into a situation where he would be forced to abandon the policy limits he had been so eager to preserve, granting the covert operators instead the latitude to conduct the operation as they saw fit, in order to succeed. . . . they appear to have assumed the unauthorized role of de facto policymakers, acting as if, in the covert war against Castro and communism, key decisions rested with them rather than with the nation's elected leaders.[27]

However, if the CIA was not anxious to point out problems, neither was the Kennedy administration, or subsequent ones, eager to voice its qualms. Political leaders are reluctant to challenge the expertise of intelligence professionals, yet the need for secrecy makes them unwilling to expand the circle of decisionmaking to include other sources of expertise. The most recent and perhaps most dramatic example of that process is the Iran-contra initiative, for which the circle was so narrow that even CIA professionals were excluded. The operation was run entirely from the White

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House. As the Tower commission observes:

The initiative fell within the traditional jurisdictions of the Departments of State, Defense and CIA. Yet these agencies were largely ignored. Great reliance was placed on a network of private operators and intermediaries. How the initiative was to be carried out never received adequate attention from the NSC principals or a tough working-level review. . . . The result was an un- professional and, in substantial part, unsatis- factory operation.[28]

Moreover, it is important to remember that in recent times presidents have not been captives of the bureaucracy. They have put pressure on the CIA far more often than they have been pressured by it. In Angola, for example, President Ford and Henry Kissinger elected to use covert action, the "middle" option, despite CIA reluctance and the opposition of the State Department's African bureau.[29]

The other great CIA paramilitary fiasco of the 1960s and early 1970s was its program in Vietnam. Just after the Bay of Pigs, the CIA undertook an even larger and longer paramilitary effort, providing advice, training, and equipment to Meo tribesmen in Laos from 1962 to 1971. As the United States withdrew from Vietnam, there was little hope for the Meo. Although some were taken to the United States, other Meo went into exile or were left to face punishment at the hands of victorious North Vietnamese.[30] The CIA was also in charge of the controversial Phoenix pacification program in Vietnam. Officially Phoenix was a massive intelligence program to collect information on suspected Vietcong, who could then be "neutralized" by South Vietnamese security forces, but many claimed that it was an assassination program. At any rate, William Colby, the head of the CIA's Far East division, felt compelled to issue a directive in 1969 that prohibited assassination and other violations of the rules of war.[31]

**Congressional and Public Backlash**

By the mid-1970s the retirement of first-generation CIA professionals, the government-wide personnel cutbacks, and the widely publicized revelations over past CIA covert actions, most notably those of the Church committee, served to reduce the level of covert operations.[32] However, congressional criticism was restrained in comparison with attacks by the media. The airing of past operations served, at least temporarily, to reduce public support for covert activities, although that did not lead to their elimination.[33]

Reforms enacted in the 1970s established greater accountability and intergovernmental review of covert actions, but the changes did not last. The results of the Rockefeller Commission report and the later Church committee hearing included a comprehensive public charter, Executive Order 11905, issued by President Gerald Ford on February 18, 1978. This charter provided a new command structure for foreign- intelligence agencies, forbade peacetime assassinations, required the CIA's inspector general and legal office to be upgraded and become involved in the internal oversight process, and created a standing Senate committee on intelligence.

**The Resurgence of Covert Operations under Reagan**

With the election of Ronald Reagan in 1980 and the appointment of William Casey as director of the Central Intelligence Agency, covert actions were once again in vogue--or, as a Newsweek cover phrased it, "The CIA Is Back in Business."[34]

Casey had been an Office of Special Services (OSS) officer during World War II and harbored great enthusiasm for covert activities. Indeed, during 1980 to 1984, Reagan's first term, covert operations increased fivefold over 1979.[35] Reagan both continued and greatly expanded the war against the Soviets in Afghanistan and selected new battlefields ranging from Libya to Nicaragua. According to John Prados, a writer on intelligence affairs, more than 50 covert operations were reportedly in progress by 1984, about half of them in Central and South America.[36]

One of the more unsavory actions was the aligning of the CIA with Bashir Gemayel, a murderous warlord, former head of Lebanon's rightist Phalangist party, and Lebanese president-elect until his assassination. At the urging of Casey, President Reagan signed a top-secret authorization of $10 million in covert aid to Gemayel's militia.

Under Casey there were serious breakdowns in planning covert operations, evaluating risks, and complying with congressional oversight regulations. In advocating covert operations against Nicaragua during 1983-84, Casey

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repeatedly displayed disdain for Congress. As director of the CIA, he stopped various kinds of reporting that had been routine under the Carter administration. After the international controversy over the mining of Nicaraguan harbors, it was revealed that the House Intelligence Committee had learned of the CIA's direction of the mining only when two congressmen's persistent questioning elicited Casey's admission. And Casey had been equally reticent with the committee's Senate counterpart, which extracted a single 27-word sentence during a March 8, 1984, briefing of more than two hours' duration and 84 pages of text. This statement merely said that mines had been placed in Nicaraguan harbors by U.S.- backed groups. In effect, the CIA cover story was given to the oversight committee.

Casey's policies did nothing to improve relations between the executive and legislative branches. In fact, during the confirmation hearings of John McMahon as deputy director of the CIA, heightened distrust of Casey encouraged Sen. Patrick Moynihan to ask McMahon, "If you ever learned that wrong information is being given to this committee--that the committee is being misinformed or misled--would you consider it a matter of personal honor and professional responsibility to tell this committee that was happening?"[37]

Dissatisfaction with the Reagan administration's performance was so great that the Senate Select Committee on Intelligence concluded in its 1984 report that "there was a need for explicit, written procedures to ensure Executive Branch compliance with the requirements for reporting covert action activities."[38] This statement probably had more to do with perceptions about Casey's actions than with any concern about policies enacted on the part of the Reagan administration. But such a distinction was naive. In reality, under Reagan the CIA was fairly tightly controlled. John Ranelagh, a British investigative reporter, comments:

Following through the one-amongst-equals philosophy of decision making in the administration, the agency most interested in or affected by a covert operation chaired the operational oversight group . . . . In Nicaragua, for example, the agency became in effect an executive arm for a decision by the National Security Council and overseen by the State Department.[39]

**Implications of the Iran-Contra Affair**

The American public is still pondering the revelations about the Iran-contra affair, and it seems likely that they will influence debate and policy for years to come. A spate of books on that subject and on associated intelligence activities has already been published.[40]

Lost in the furor over the Iran-contra affair is the fact that it had antecedents in earlier Reagan years. On November 19, 1986, at the beginning of the controversy, Bob Woodward of the Washington Post wrote that the Reagan administration's secret overtures and arms shipments to Iran were part of a seven-year pattern of covert CIA operations designed both to curry favor with Ayatollah Ruhollah Khomeini's regime and to support the Iranian exiles seeking to overthrow it.

From the viewpoint of evaluating covert operations, one of the most important questions about the Iran-contra affair is why it happened. Some say that the fundamental cause was a lack of oversight. The congressional report comments:

The confusion, deception, and privatization which marked the Iran-Contra Affair were the inevitable products of an attempt to avoid accountability. Congress, the Cabinet, and the Joint Chiefs of Staff were denied information and excluded from the decisionmaking process. Democratic procedures were disregarded.

Officials who make public policy must be accountable to the public. But the public cannot hold officials accountable for policies of which the public is unaware. Policies that are known can be subjected to the test of reason, and mistakes can be corrected after consultations with the Congress and deliberations within the Executive branch itself. Policies that are secret become the private preserve of the few, mistakes are inevitably perpetuated, and the public loses control over Government. That is what happened in the Iran-Contra Affair.[41]

However, some critics find that rhetoric self-serving. Peter Kornbluh, an information analyst at the National Security Archive, writes:

The report's main conclusion reflects its protection of the status quo. In its identification of the roots of malfeasance,

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the Iran-contra report concludes that the scandal "resulted from the failure of individuals to observe the law, not from deficiencies in existing law or in our system of governance." This assessment makes it easy to avoid the critical but logical questions that should have been part of the inquiry--and part of a broad public debate over how to prevent similar abuses of power.

Was the scandal really an aberration or was this "disdain for law" and "pervasive deception" the natural outgrowth of a system of covert operations that has become integral to U.S. foreign policy? What was Congress's institutional role in the scandal? . . . To these questions the committees provide no answers. . . . The need for covert operations is not challenged but ratified. Thus, The Iran-Contra Affair fails to confront, let alone resolve, the most critical problem that has plagued the American polity since World War II--the incompatibility between a constitutional political system premised on the active consent of the governed, and an antidemocratic, autonomous, national security system predicated on secrecy, stealth, and nonaccountability.[42]

In the wake of the controversy, Congress considered a number of bills pertaining to congressional oversight of intelligence activities. The bill considered most likely to pass required that at least the top congressional leadership be notified of covert activities within 48 hours of their initiation. In contrast, the current legislation requires that Congress be notified in a "timely fashion." It is worth remembering that in November 1986, when asked to comment on "the prolonged deception of Congress" about the Iran arms deal, President Reagan said:

I was not breaking any law in doing that. It is provided for me to do that. I have the right under law to defer reporting to Congress, to the proper congressional committees, on an action, and defer it until such time as I believe it can safely be done with no risk to others.[43]

**Some Important Lessons**

Despite all the publicity of the past two years, the question remains: How effective are covert actions?

The answer for the United States seems to be that covert operations are not all they are believed to be. The criticism is longstanding. In 1961 the President's Board of Consultants on Foreign Intelligence told President Eisenhower, "We have been unable to conclude that, on balance, all of the covert action programs undertaken by the CIA up to this time have been worth the risk or the great expenditure of manpower, money and other resources involved."[44]

In fact, U.S. covert operations often have had potential or actual drawbacks. Raymond Garthoff, former State Department official, notes that three CIA-sponsored covert-action teams were in Cuba at the peak of the 1962 missile crisis "when a false move on either side could have escalated into all-out war."[45] One might ponder the possible destabilizing ramifications of covert operations in other global trouble spots when a crisis occurs.

Furthermore, although a formal process of command and control exists within the CIA, the standard operating procedures are not always followed. In fact, exceptions often appear to be the rule. One observer notes:

Certain clandestine activities which would seem to an outsider logically to be the responsibility of one component are often carried out by another because of political sensitivity, because of an assumed need for even greater secrecy than usual, because of bureaucratic compartmentalization, or simply because they were always done that way.[46]

An example of this was revealed in 1984 when the CIA's "Psychological Operations in Guerrilla Warfare" manual was produced and distributed to the contras.[47] Written by a CIA contract employee, the manual did not hesitate to advocate deliberate terrorism. One section spoke of hiring professional criminals for some activities. Another discussed the creation of "martyrs" to aid the cause, if necessary, by arranging the death of the contras' own men. Other sections dealt with the selective use of violence, as in assassinating Sandinista officials to intimidate village populations.

The CIA's global installations, which can be used at the discretion of the CIA, are another source of difficulty. The covert projects that sustain these units rarely reach the executive review groups for approval. The results are that "(a) the executive may be tempted to use covert actions merely because the infrastructure exists . . . and (b) information about operations may not reach the White House."[48] One must remember that under the law passed in the aftermath of the Church committee hearings, the president is required to consult with Congress in advance of a covert operation

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but is allowed, in special circumstances, to give only "timely notice" after an operation has begun.

Furthermore, U.S. officials often resort to implausible excuses in an attempt to preserve plausible deniability. Over time the Reagan administration has explained its support for the contras as an attempt to support Nicaraguan moderates, to disrupt Cuban supply lines to Saladoran guerrillas, and to force Nicaragua to halt aid to El Salvador and to adopt military and domestic policies preferred by Washington. But the "covert" contra operation has served none of those purposes. Instead it has made the policy an object of national division and, to an extent, international opprobrium. And because the CIA's legal authority to conduct covert operations is unclear, the stage has been set for constant battle between the executive and legislative branches over the authorization and continuation of such activities.[49]

Another weakness is that once a covert action has been carried out, Washington tends to assume that the problem has been solved. After the United States helped to overthrow Arbenz in 1954, Guatemala became a relatively low priority for U.S. policymakers. Even worse, what little concern it received was devoted mostly to routine transfers of economic and military assistance, thus paving the way for further corruption and oppression and a future problem for American leaders. Diplomatic support for needed internal reforms in the 1950s might have been able to resolve such difficulties, but, in the aftermath of Arbenz's removal, Washington never considered that option. A similar conclusion can be applied to Operation Ajax in Iran in 1953. The operation prolonged the shah's tenure but allowed the underlying problems to fester until they exploded into the radical Islamic revolution of the late 1970s.

Gregory Treverton argues that the presumption that a covert action will remain secret makes it all the more tempting to ignore longer-term costs. The costs, even if they are recognized, may never have to be borne. Yet history teaches that they probably will be borne. In all likelihood, the operation will become known and the United States will be judged for having undertaken it.[50]

In summary, the people responsible for covert actions have based these operations on an unrealistic hope that the actions will have the desired effect. They have been preoccupied with scenarios, tactical considerations, and conditions for success. However, they failed to make an adequate assessment of the effect of covert action on long-term U.S. foreign policy objectives. And regardless of the strategic planning, the record shows successes to be few and failures to be many.

Even the conservative International Institute for Strategic Studies concedes that covert action has pitfalls:

To begin with, covert action is no better than the policy it serves: no amount of clandestine expertise can change ill-informed or impatient policymakers into statesmen, nor can prodigies of ingenuity save incompetent leaders from their folly. Some policy-makers will always be drawn to the "quick fix," only to discover that it seldom stays fixed for long. Covert operators, too, whether from motives of professional pride or desire to please, have often encouraged their masters to believe that miracles can be achieved by sheer determination. Only later--usually after a disaster--is it recognized that the "can do" approach won't do. Moreover, covert action can have no other purpose than to serve policy: when it is used to circumvent, evade or subvert avowed policy, its propriety, not to say its prudence, is called into question. Convenience may be a perquisite of power, but one is ill-advised to consult it in deciding whether or not to undertake covert action.[51]

Thus, Shackley's "middle option" is not nearly as attractive as claimed. In fact, covert operations, rather than a false patriotism, more closely approximate Samuel Johnson's description as "the last refuge of scoundrels." Their availability often enables leaders to waffle and avoid facing harsh realities. Despite all the resources lavished on them, covert actions haven't had much of a payoff. Operations that were initially heralded as great successes, such as Operation Ajax in Iran, only fostered hostilities that caused the United States great difficulty later. It is extremely doubtful that Mohammad Mossadegh would have caused as much trouble as the Ayatollah Khomeini has. Similarly, an effort that was merely supposed to make Nicaragua "say uncle" has fostered a national divisiveness not seen since the Vietnam War.

Furthermore, having a covert action capability lodged in the CIA is inappropriate, because it diverts resources from what was originally envisioned as the agency's primary function: information collection and analysis. It seems as if the CIA was designed simply to provide employment for people who still revere the days when the Office of Strategic

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Services (OSS) performed daring actions. But those days are over. The covert operations conducted during and after World War II were a reflection of a peculiar American belief that the world could be saved through a combination of American wealth and good impulses. However, in an environment that places constraints on the ability of even a great power to influence global developments, such hubris cannot be the basis for policy.

Although U.S. covert operations could embrace a wide range of acts, they have typically involved only one: waging unofficial wars. Moreover, in most of those cases, that strategy involves the sending of weapons, not operatives. Such policies are often debated in public, as they should be, although the executive branch may not think so. If the United States is to become involved in a conflict, it should not do so secretly. A plan that seems well conceived and at least arguably related to the nation's security interests will receive adequate support from Congress and the American people. For example, the Reagan administration encountered little opposition to its policy of aiding the Afghan rebels. Indeed, Congress nearly tripled Reagan's original request for funding, eventually approving more than $250 million a year, over 80 percent of the CIA's annual covert-operations expenditure. In the war in Afghanistan there was a clear-cut aggressor, and public sympathies were overwhelmingly identified with the guerrilla opposition. Furthermore, Reagan pursued a policy of limited support; there were relatively few CIA operatives in Afghanistan. He was prepared to send weapons and money but not a large paramilitary force.

**The Need for Reforms**

What lessons should be drawn from the above analysis? Is it just a matter of improving congressional oversight or is it necessary to go further--to fundamentally reassess the international arena and our response to it?

At a legislative level there are certain things that can and should be done quickly. For example, in the aftermath of the Iran-contra affair there has been renewed interest in establishing a statutory independent inspector general at the CIA in accordance with the Inspector General Act of 1978. As early as 1976 the Church committee pointed out that the CIA's Office of the Inspector General had problems accessing information, identifying potential problems, and obtaining high-quality personnel, and it lacked the authority to provide assistance to the congressional oversight committees. There is no reason to believe an IG is less trustworthy than other agency officials in handling sensitive information. However, pending legislation provides the director of the CIA with a mechanism to prohibit its IG from looking into matters when such reviews would pose a threat to national security, and that is a dangerous loophole.[52]

Other recently introduced bills also contained useful provisions. One bill required that the intelligence committees be given prior notice of covert actions. It stated that in the rare cases in which time is critical and the president determines an action is important to the national security interests of the United States, he may initiate a covert operation without giving prior notice. But even in such cases he must notify the committees as soon as possible and within 48 hours. The same bill would have

1. Prohibited the expenditure of funds on a covert action until the president had issued a written finding that not only specified each governmental agency, department, and entity authorized to finance the action or otherwise play a significant role in it but also stated whether nongovernmental parties would participate

2. Permitted an oral finding when immediate action is necessary but required that a contemporaneous record be made and that the finding be committed to writing within 48 hours

3. Prohibited retroactive findings and prohibited a finding from authorizing an action that would violate any law of the United States

4. Defined covert action to include requests made by the U.S. government to other countries or private citizens to conduct a covert action on behalf of the United States

5. Expanded current reporting requirements regarding covert transfers of arms to include reporting on the transfer within one fiscal year of any aggregations of items worth more than $1 million

The above provisions do not constitute another attempt to legislate good judgment or fidelity to the law. Rather, they are grounded in practical considerations; they are essential to the making of good foreign policy and the effective

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functioning of government. A fundamental theory of the Constitution is that policies formed through consultation and the democratic process are usually better and wiser than those formed by other means. Unfortunately this bill was killed in the House last year and there are no plans to reintroduce it or similar legislation.

As Rep. Lee Hamilton, former chairman of the House Permanent Select Committee on Intelligence, notes:

In the final analysis, it's a question of balance. We must balance the harm that may result from the disclosure of a secret against the value of consultation and independent advice for the President prior to the initiation of a covert action. Have not the events of recent years shown us that the President needs that kind of advice in all circumstances? When covert actions are contemplated that will have profound effects on our security interests, the balance, in our democracy, must be struck in favor of prior consultation. In the long run it will serve us best.[53]

Congressional restraints are both necessary and desirable in the absence of an executive branch willingness to recognize Congress as a coequal partner in the formation and implementation of foreign policy. It should be remembered that the legal authority for the conduct of covert action is an act of Congress. The National Security Act of 1947 created the Central Intelligence Agency and authorized it "to perform such other functions and duties related to intelligence affecting the national security as the National Security Council may from time to time direct." According to the testimony of Clark M. Clifford, who as special counsel to President Truman helped to draft the act,

The "other functions" that the CIA was to perform were not specified, but we did expect that they would include covert activities. These activities were intended to be separate and distinct from the normal activities of the CIA and they were intended to be restricted in scope and purpose.[54]

Clifford's testimony raises fundamental questions: When and under what circumstances should covert operations be used to implement policy? Given the CIA's uninspiring record, the need for certain reforms is obvious. First, before undertaking a covert operation, an administration should, at the very minimum, seek outside sources of judgment rather than rely solely on the advice of those who would be carrying out the operation. Consultations with Congress, using the mechanisms in the legislation described above, should always be considered mandatory.

Second, the role of covert operations in U.S. foreign policy must be addressed explicitly. Because of global and domestic constraints, covert operations can no longer be considered the low-cost alternative. The United States often finds it difficult to control the operations it supports and to set limits on that support. It also may not have much choice over who becomes its partners in secret operations.

Indeed, covert actions often can lead to results quite different from what U.S. policymakers had in mind. As Treverton pointed out, when South Africa intervened in Angola on behalf of such U.S.-supported factions as FNLA and UNITA, a covert action intended to counter the Soviet Union and Cuba signaled something else: an alliance with the South African apartheid regime.

At the very least, President Bush should strip the CIA of a capability for conducting covert paramilitary operations. All paramilitary responsibilities should be assigned to the military, perhaps to its newly created Special Operations Command. That way, perhaps, presidents would be disabused of the notion that wars can be conducted cheaply and would realize that in foreign policy, as in life, the TANSTAAFL (their ain't no such thing as a free lunch) principle applies. The term "covert war" is an oxymoron and should not be considered a viable instrument for implementing foreign policy.

In addition, the new administration should also explicitly prohibit such actions as assassination plots, economic destabilization measures, and interference in election processes. Aside from questions of morality, a major reason for prohibiting assassinations is a practical one. It is something the United States does not do well. Between 1961 and 1965 there were at least eight plots to kill Fidel Castro. Yet the agency that overturned governments never came close to killing Castro. Such a task too closely resembles outright murder, which violates many CIA officers' sense of professionalism. That may be why the agency's plans to kill Castro relied so heavily on Mafia contacts.

Furthermore, nobody can be sure that what may come after a leader has been assassinated may not be worse. The death of Patrice Lumumba, Prime Minister of the then Republic of the Congo, was encouraged by the Eisenhower

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administration. That death enabled Col. Joseph Mobuto to consolidate his power and eventually take over as ruler. Mobuto may have the distinct privilege of being Africa's most corrupt kleptocrat. He runs a one-party dictatorship, has grown fabulously rich--his personal fortune is estimated at over $3 billion-- and has presided over a country that slipped into virtual bankruptcy.

Economic pressure is also suspect simply because there is little evidence it works.[55] Whether one points to U.S. sanctions against Nicaragua or against South Africa, the result is that such actions usually end up making the target country more self-sufficient and strengthen its resolve to carry out its policies.

Similarly, interference in elections often ends up making a bad situation worse. This interference happened in Vietnam when the United States upheld Ngo Dinh Diem's refusal to allow elections in July 1955. The elections were agreed to in the Geneva Accords and were to end French control in Vietnam. Upholding Diem's decision committed the United States to support an unpopular dictator--one so unpopular that America later supported a coup to remove him. U.S. interference in the Greek election of 1947 paved the way for the military coup in 1967, which left an enduring legacy of anti-Americanism.

Other forms of covert operations, such as dissemination of propaganda and provision of political advice and assistance to leaders and influential individuals in other countries, are not likely to have as much potential adverse effect as a paramilitary operation, an assassination plot, or economic destablization if they go wrong. Such operations can be considered permissible extensions of diplomacy. Even these milder covert actions should be always be considered an exceptional tactic reserved for cases in which vital American security interests are at stake. Moreover, officials should turn to the covert option only as a last resort.

Deemphasizing even the mildest forms of covert action would be a healthy development for the CIA. That agency's principal functions should be the collection and evaluation of intelligence information, functions that all too often throughout the cold war have been eclipsed by the more "glamorous" covert operations capability. If the CIA has a legitimate role to play, it is to act as the eyes and ears of the United States in a dangerous world. A preoccupation with covert action merely distracts the agency from performing that mission.

Finally, covert actions must no longer be used as a means to pursue foreign-policy objectives that lack public and congressional support. The reasons are both practical and moral. From a practical standpoint, such a lack of support is likely to undermine an initiative in the long run, leading to an embarrassing failure of execution. From a moral standpoint, the pursuit of a secretive, elitist foreign-policy agenda is contrary to America's commitment to representative democracy.

**FOOTNOTES**

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[6] John M. Oseth, Regulating U.S. Intelligence Operations: A Study in Definition of the National Interest (Lexington: University Press of Kentucky, 1985), p. 13.

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